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Filing date: **08/12/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91181883
Party	Plaintiff Abbott Laboratories
Correspondence Address	Raymond I. Geraldson, Jr. Pattishall, McAuliffe, Newbury, Hilliard, LLP 311 South Wacker Drive, Suite 5000 Chicago, IL 60606 UNITED STATES rgeraldson@pattishall.com, dlemack@pattishall.com, rburch@pattishall.com, jmn@pattishall.com
Submission	Motion to Suspend for Settlement Discussions
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Signature	/Rebecca R. H. Burch/
Date	08/12/2008
Attachments	Consented Motion to Suspend Proceeding.NEPROFIN.8-12-08.pdf ( 4 pages ) (49940 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

ABBOTT LABORATORIES,	)	
	)	
Opposer,	)	
v.	)	Opposition No. 91181883
	)	
WILLIAM MARSH,	)	
	)	
Applicant.	)	

**CONSENTED MOTION TO SUSPEND PROCEEDING**

Opposer, Abbott Laboratories, hereby requests an additional sixty day suspension of the proceeding. The parties have finalized a settlement agreement that will resolve this matter subject to both parties meeting certain obligations in a timely manner, as well as to their continued compliance with the agreement. The additional sixty days should provide the parties enough time to meet their obligations under the settlement agreement and allow for a full resolution of this matter prior to the exchange of initial disclosures. Accordingly, the parties submit that there is good cause for an additional sixty day suspension of this proceeding.

Counsel for William Marsh has consented to the extension.

The parties request that the proceeding be suspended until October 11, 2008. Upon resumption, the discovery and trial dates would be reset as follows:

Proceedings to Resume:	October 11, 2008
Initial Disclosures Due:	October 21, 2008
Expert Disclosures Due:	February 17, 2009
Discovery Period to Close:	March 20, 2009
Plaintiff's Pretrial Disclosures Due:	May 5, 2009

Plaintiff's Trial Period to close  
(opening thirty days prior thereto):

June 19, 2009

Defendant's Pretrial Disclosures Due:

July 3, 2009

Defendant's Trial Period to close  
(opening thirty days prior thereto):

August 18, 2009

Plaintiff's Rebuttal Disclosures Due:

September 1, 2009

Plaintiff's Rebuttal Period to close  
(opening fifteen days prior thereto):

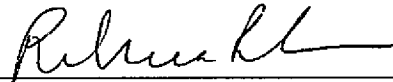
October 2, 2009

WHEREBY, Opposer respectfully requests an additional sixty day suspension of the  
discovery and testimony periods.

Respectfully submitted,

PATTISHALL, McAULIFFE, NEWBURY,  
HILLIARD & GERALDSON, LLP

Date: August 12, 2008

By: 

Raymond I. Geraldson, Jr.

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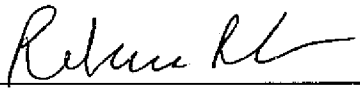
(312) 554-7946

Attorneys for Opposer, Abbott Laboratories

**CERTIFICATE OF SERVICE**

I, Rebecca R. H. Burch, hereby certify that a true copy of the foregoing **CONSENTED MOTION TO SUSPEND PROCEEDING** was served by first class mail, postage prepaid this 12th day of August, 2008 upon the following:

Jeffrey B. Pietsch  
Weintraub Genshlea Chediak Law Corporation  
400 Capitol Mall, Eleventh Floor  
Sacramento, CA 95814

  
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**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I, Rebecca R. H. Burch, hereby certify that this Notice of Opposition is being electronically transmitted to the Patent and Trademark Office on August 12, 2008.

  
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